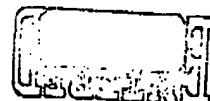


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DATE: 11/4/2002

Number of Pages to Follow (including cover sheet) 41



SEND TO: United States Patent Office

Examiner: C. Rones

Group Art Unit: 2175

Tel No: (703) 306-3030

Fax #: (703) 746-7250



FROM: Leslie VanLooyen

Tel No: (512) 823-6746

Fax #: 512 823-1036

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Docket No. 479-98-340 Serial No. 09/190,554 Atty: J. B. KRAFT

Applicant: P. Y. Hsu et al

<input checked="" type="checkbox"/> Transmittal Letter (2 copies)	<input type="checkbox"/> Certificate of Facsimile
<input type="checkbox"/> Amendment	<input type="checkbox"/> Notice of Appeal
<input type="checkbox"/> Amendment AF	<input checked="" type="checkbox"/> Appeal Brief (3 copies)
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<input type="checkbox"/> Other _____	_____

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Fees: Amendment _____ Notice of Appeal _____ Appeal Brief _____ Other ✓

PATENT
09/190,554

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: : Group Art Unit: 2175
: Examiner: Rones, C..
Peter Y. Hsu et al. : Intellectual Property
Serial No: 09/190,554 : Law Department - 4054
Filed: November 12, 1998 : International Business
Title: BOOKMARKING OF WEB : Machines Corporation
PAGE FRAMES IN WORLD WIDE WEB : 11400 Burnet Road
FOR ACCESSING WEB PAGES : Austin, Texas 78758
WITHIN A FRAMES IMPLEMENTATION:
Date: 11-04-2002 :

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence, a Brief on Appeal, is being transmitted via facsimile to USPTO, Group Art Unit 2171 at telephone number 703-746-7238, and to the attention of Examiner C. Rones on November 4, 2002.

Patsy Spears
Patsy Spears 11-4-2002
signature Date

TRANSMITTAL OF APPELLANTS' BRIEF UNDER 37 CFR 1.192(a)

Assistant Commissioner of Patents

Washington, D.C. 20231

Sir:

Attached is Appellants' Brief (in triplicate) in this Appeal from a decision of the Examiner dated June 4, 2002 finally rejecting Claims 1-21.

Applicants respectfully request that the Appeal Brief fee be waived by the U.S. Patent Office since Applicants filed a previous Appeal herein on October 19, 2001, and a subsequent Appeal Brief for which they already have paid the Appeal and Appeal brief fees. Subsequently, after Applicants filed their Brief in this earlier Appeal, the

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Examiner withdrew his previous final rejection, and reopened the present prosecution.

Should there be any charge herein, please charge Deposit Account 09-0447. A duplicate of this notice is attached.

Respectfully submitted,

By Leslie Van Leeuwen
Leslie Van Leeuwen
Registration No. 42,196
Intellectual Property Law
IBM Corporation - 4054
11400 Burnet Road
Austin, Texas 78758

Docket No: AT9-98-340
Telephone No:
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PATENT
09/190,554#17
11/6/02
A.W.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: : Group Art Unit: 2175
: Examiner: Rones, C..
Peter Y. Hsu et al. : Intellectual Property
Serial No: 09/190,554 : Law Department - 4054
Filed: November 12, 1998 : International Business
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WITHIN A FRAMES IMPLEMENTATION:
Date: 11-04-2002 :

APPEAL BRIEF

Assistant Commissioner of Patents
Washington, D.C. 20231

Sir:

This is an Appeal from the Final Rejection, dated June 4, 2002, of Claims 1-21 of this Application. An Appendix containing a copy of each of the claims is attached.

I. Real Party in Interest

The real party in interest is International Business Machines Corporation, the assignee of the present Application.

II. Related Appeals and Interferences

None.

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III. Status of Claims

A. TOTAL NUMBER OF CLAIMS IN APPLICATION

There are 21 claims in this Application.

B. STATUS OF ALL THE CLAIMS

1. Claims cancelled: None.
2. Claims withdrawn from consideration but not cancelled: None.
3. Claims pending: None.
4. Claims allowed: None.
5. Claims rejected: Claims 1-21.

C. CLAIMS ON APPEAL

Claims on appeal: Claims 1-21.

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09/190,554IV. Status of Amendment

Claims 1-21 were in the filed Application.

Claims 1 through 21 in this Application were first rejected in an Office Action mailed September 26, 2000.

Applicants filed a Response on December 19, 2000.

Claims 1-21 were again rejected in a Office Action mailed March 13, 2001.

Applicants filed an Amendment on June 8, 2001 which amended the claims to their current state.

The claims were finally rejected in a first Final Rejection mailed July 26, 2001.

Applicants submitted a Response after Final Rejection filed August 30, 2001.

The Final Rejection of Claims 1-21 was maintained in an Advisory Office Action mailed October 23, 2001.

A Notice of Appeal initiating a first Appeal on this first Final Rejection of claims 1-21 was filed on October 19, 2001.

A Brief on this first Appeal was submitted on December 17, 2001.

The first Appeal Brief was deemed persuasive, the first Final Rejection was withdrawn on January 31, 2002, and a new rejection of claims 1-21 was made.

Applicants filed a Response to this new rejection on April 11, 2002.

Claims 1-21 were rejected in the second Final Rejection mailed June 4, 2002.

A Notice of Appeal initiating a second Appeal on this second Final Rejection of claims 1-21 was filed on September 4, 2002.

The present Brief on Appeal is for this second Appeal.

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09/190,554V. Summary of Invention

The present invention is directed the bookmarking of lengthy accessed Web documents of which only relatively small sections may be of interest to the user. Accordingly, the invention provides the user with the option of either conventionally bookmarking the entire received Web document or defining sections of a lengthy Web document and individually bookmarking such defined sections to thereby treat such sections as independent bookmarked secondary documents.

In understanding the present invention, we must remain focused on the primary purpose of the whole bookmarking art: to avoid storing at the local or receiving facility extensive or lengthy documents of interest. With a bookmark, all that need be stored at the local or receiving station is the bookmark link to the document which remains stored at the remote or source network station. Accordingly, the present invention provides the user with the further means for defining sections of a lengthy Web document or page and for individually bookmarking such defined sections. This enables the user to be linked directly to the Web document area or section of interest to him without going through the process of bookmarking and thereby accessing the entire long Web document, and then going through the page until the area of interest is reached.

VI. Issues

Whether Claims 1-21 are unpatentable under 35 U.S.C. 102(e) as anticipated by Appleman et al. (U.S.5,918,010).

VII. Grouping of Claims

All of the claims stand or fall together.

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VIII. Argument

Claims 1-21 are not anticipated under 35 U.S.C. 102(e) by Appleman et al. (US5,918,010) and thus are patentable.

Appleman is directed to a problem which is almost the direct opposite of the problem which the present invention solves. This is clearly set forth at column 2, lines 20-31 (specifically cited by Examiner). Appleman's object is to form a composite Web document combining pages from multiple Web sites. However, conventional bookmarking presents a problem to him:

"The use of bookmarks presents a problem for web pages as multiple coordinated, or framed, web pages. A bookmark is a reference to a single URL address..... When the user attempts to re-access the page with the bookmark, the browser display will load only one frame, which provides only part of the coordinated framed presentation of data."

Thus, unlike the problem addressed by the present invention of how to reduce the size of a large Web document accessed and transmitted through a bookmark, Appleman's problem results from getting too little of his combination Web document through a bookmark.

Considering whether Appleman meets the requirements of an anticipating reference under 35 U.S.C. 102, it is submitted that Appleman does not disclose:

A. the transmission from a remote network location to a receiving station of a document defining at least one section in the document as an independent secondary document; and

B. means at the receiving station for bookmarking the defined secondary document to thereby circumvent accessing the whole transmitted document.

For a disclosure of element A., the Examiner cites Fig. 7 in Appleman, and argues that frames 602 and 604 therein are independent sections in a transmitted document.

Applicants submit that what is shown in Fig. 7. is not a whole document with independent sections transmitted to a

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Web receiving station. When read together with Fig. 6, col. 15, lines 34-67, it is clear that the two sections 602 and 604 shown in Fig. 7 are what is displayed at the receiving web site or station, and not what is in the transmitted Web page. The display may be formed in two ways: either the banner frame section 602 is already on the display when Web page arrives at Web station (Yes to step 504, Fig. 6); or section 602 is not on the display, then that section 602 is built and added to the display (steps 512 and 514, Fig. 6, as described at col. 15, lines 46-53). In neither case is banner section 602 in the transmitted Web page.

Consequently, since the transmitted page has no independent section, there can be no independent section of the transmitted page to bookmark.

A Rejection based on anticipation under 35 U.S.C. 102, must expressly or impliedly teach every element of invention without modification.

The Appleman patent fails to meet this standard. The only discussion which Appleman has relative to bookmarking relates to problems which users have in bookmarking as described above. Because of the problems that Appleman's system has with bookmarks, the patent dismisses the use of bookmarks to Web sites and instead makes use of human guides to maintain web sites specialized to areas of particular interest to the users. Appleman then combines the information from an appropriate set of such human guide maintained sites to be displayed within a template or framework which has the look and feel of a Web document. There is no bookmarking.

It is not seen how a patent with a limited but negative reference to bookmarks and then only as being inadequate can be considered as an anticipatory teaching under 35 U.S.C. 102. The present invention which provides the user with the option of either conventionally bookmarking the entire received transmitted Web document or individually

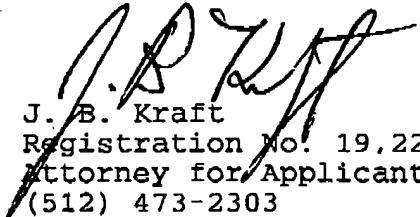
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bookmarking defined independent sections of the document and treating such sections as independent secondary bookmarked documents.

IX. Conclusion

In view of the foregoing, Applicants submit that Claims 1-21 are not anticipated by Appleman et al. (U.S. 5,918,010), and thus are patentable under 35 U.S.C. 102(e). Accordingly, it is respectfully requested the Rejection be reversed, and Claims 1-21 be held to be patentable.

Respectfully submitted,


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APPENDIX

Claims on Appeal

1. In a computer managed communication network with user access via a plurality of data processor controlled interactive display stations and with a system for displaying documents transmitted to said display stations from locations remote from said stations, a system for bookmarking sections of said transmitted documents comprising:

means associated with one of said receiving display stations for bookmarking selected transmitted documents to thereby store at said receiving display station, direct links to the documents at said remote locations for future access,

means in a transmitted document defining at least one section in the document as an independent secondary document, and

means at said receiving display station for bookmarking said secondary document to thereby store at said receiving display station, a direct link to the secondary document at one of said remote locations, said link circumventing said transmitted document.

2. The system of claim 1 wherein said network is the World Wide Web.

3. The system of claim 2 wherein the transmitted documents are hypertext documents.

4. The system of claim 3 wherein the transmitted documents are Web pages in Hypertext Markup Language.

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5. The system of claim 4 wherein said secondary document is defined by frames within a Web page and is also in Hypertext Markup Language.

6. The system of claim 5 further including:
means for displaying a list of said bookmarked documents, and
means for adding said secondary bookmarked documents to said list.

7. The system of claim 5 further including:
means for accessing and displaying said secondary documents via said direct link, and
means for maintaining connections between said secondary documents and said transmitted documents, whereby said transmitted documents may be accessed and displayed through said accessed secondary documents.

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8. In a computer managed communication network with user access via a plurality of data processor controlled interactive display stations and with a system for displaying documents transmitted to said display stations from locations remote from said stations, a method for bookmarking sections of said transmitted documents comprising:

bookmarking at one of said receiving display stations selected transmitted documents to thereby store at said receiving display station, direct links to the documents at said remote locations for future access,

defining in a transmitted document at least one section as an independent secondary document, and

bookmarking said secondary document at said receiving display station to thereby store at said receiving display station, a direct link to the secondary document at one of said remote locations without accessing said transmitted document.

9. The method of claim 8 wherein said network is the World Wide Web.

10. The method of claim 9 wherein the transmitted documents are hypertext documents.

11. The method of claim 10 wherein the transmitted documents are Web pages in Hypertext Markup Language.

12. The method of Claim 11 wherein said secondary document is defined by frames within a Web page and is also in Hypertext Markup Language.

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13. The method of claim 12 further including the step of: displaying a list of said bookmarked documents, and adding said secondary bookmarked documents to said list.
14. The method of claim 12 further including the steps of: accessing and displaying said secondary documents via said direct link, and maintaining connections between said secondary documents and said transmitted documents, whereby said transmitted documents may be accessed and displayed through said accessed secondary documents.
15. A computer program having code recorded on a computer readable medium for bookmarking sections of transmitted documents in a computer managed communication network with user access via a plurality of data processor controlled interactive display stations and with a system for displaying documents transmitted to said display stations from locations remote from said stations comprising:
 - means for bookmarking selected transmitted documents to thereby store at a receiving display station, direct links to the documents at said remote locations for future access,
 - means in a transmitted document defining at least one section in the document as an independent secondary document, and
 - means for bookmarking said secondary document to thereby store at said receiving display station, a direct link to the secondary document at one of said remote locations without accessing said transmitted document.
16. The computer program of claim 15 wherein said network is the World Wide Web.

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17. The computer program of claim 16 wherein the transmitted documents are hypertext documents.

18. The computer program of claim 17 wherein the transmitted documents are Web pages in Hypertext Markup Language.

19. The computer program of claim 18 wherein said secondary document is defined by frames within a Web page and is also in Hypertext Markup Language.

20. The computer program of claim 19 further including:
means for displaying a list of said bookmarked documents, and
means for adding said secondary bookmarked documents to said list.

21. The computer program of claim 19 further including:
means for accessing and displaying said secondary documents via said direct link, and
means for maintaining connections between said secondary documents and said transmitted documents, whereby said transmitted documents may be accessed and displayed through said accessed secondary documents.